City of Lafayette
Special City Council Meeting
MINUTES

Lafayette Community Center – Manzanita Room **September 22, 2008**
500 St. Mary's Road, Lafayette, California **6:30 p.m.**

1. CALL TO ORDER

Mayor Anderson called the meeting to order at 6:30 p.m.

2. ROLL CALL

Present: Council Members: Mayor Anderson, Vice Mayor Tatzin, Councilmembers Andersson, Anduri and Federighi

Absent: None

Staff: Mala Subramanian, City Attorney

3. ADOPTION OF AGENDA

ACTION: It was M/S/C (Tatzin/Federighi) to adopt the agenda. Vote: 5-0-0 (Ayes: Anderson, Tatzin, Andersson, Anduri, Federighi; Noes: None; Absent: None).

4. PUBLIC COMMENTS – None

5. CLOSED SESSION

A. Public Employee Performance Evaluation (Gov. Code section 54957)
Title: City Manager

6. ADJOURNMENT

ACTION: It was M/S (Tatzin/Federighi) to adjourn the Special City Council Regular Meeting at 7:00 p.m. to the regular City Council meeting. Vote: 5-0.

APPROVED:

_____
Mike Anderson, Mayor

ATTEST:

_____
Joanne Robbins, City Clerk

6A

City of Lafayette
City Council Regular Meeting

MINUTES

Lafayette Community Center **September 22, 2008**
500 St. Mary's Road, Lafayette, California **7:00 p.m.**

1. CALL TO ORDER

Mayor Anderson called the meeting to order at 7:05 p.m.

2. ROLL CALL

Present: Mayor Anderson, Vice Mayor Tatzin, Councilmembers Andersson, Anduri and Federighi

Absent: None

Staff: Steven Falk, City Manger; Tracy Robinson, Administrative Services Director; Ann Merideth, Community Development Director; Greg Wolff Senior Planner; Mala Subramanian, City Attorney; Joanne Robbins, City Clerk

3. PLEDGE OF ALLEGIANCE – led by Mayor Anderson.

4. ADOPTION OF AGENDA

ACTION: It was M/S/C (Tatzin/Federighi) to adopt the agenda. Vote: 5-0-0 (Ayes: Anderson, Tatzin, Andersson, Anduri, Federighi; Noes: None; Absent: None).

5. PUBLIC COMMENTS

GABRIEL FROYMOVICH questioned why his and candidate Gerber's election signs were removed from a parcel across from the theatre owned by Joan Bruzzone.

Councilmember Tatzin referred Mr. Froymovich to City staff in order to review regulations for signs in the public right-of-way. Councilmember Anduri confirmed Carol Singer located his sign on the property with permission from Ms. Bruzzone and his sign was not removed by her.

6. REPORT OF CLOSED SESSION

Mayor Anderson said the Council met in Closed Session and there was no reportable action taken.

7. PRESENTATIONS

8. OLD BUSINESS

9. STAFF REPORTS

10. PUBLIC HEARINGS

A. Greg Wolff, Senior Planner

GP01-05 / RZ01-05 BRUCE TORQUEMADA, LAFAYETTE PROPERTIES, (APPLICANT & OWNER), R-15 ZONING: Lafayette Park Terrace – Proposed ~~20-Unit~~ 18-Unit Condominium Project at 3235 Mt. Diablo Court, a 2-acre site at the terminus of Mt. Diablo Court. APNs: 233-131-020 & 022

Recommendation: 1) Take testimony from the applicant and public; consider revised plans; 2) Introduce Ordinance 580; and 3) continue to October 14, 2008 for second reading of Ordinance and adoption of the Mitigated Negative Declaration and approve Project subject to conditions.

Senior Planner Greg Wolff gave the staff report, stating the Council last heard the item on July 28, 2008 and prior to that meeting each of the Councilmembers visited the inside living spaces of Lafayette Pointe units 30, 31, and 32 to more fully appreciate all views and impacts illustrated by the story poles. On July 28th, Councilmember Anduri indicated he did not support the General Plan Amendment and rezoning to multi-family increasing density on the subject property and did not support the project. Other Councilmembers said they could support an appropriately designed multi-family use on the property. Councilmembers Andersson and Federighi indicated that the previous direction was to reduce height and mass of the building and they believe this had been done and could support the project as designed. Councilmember Tatzin and Mayor Anderson identified there were still some impacts they would like to see mitigated by the applicant, particularly for units 30 and 31 at Lafayette Pointe.

The Council continued the matter to this meeting. Subsequently, Mayor Anderson, Councilmember Tatzin and staff met twice with the project architects and reviewed preliminary revisions, and the result of those are before the Council in the agenda packet.

Mr. Wolff noted the applicants reduced the height of the upper story along the side and lowered the unit count to 18 units. On page 2 of 4 of the staff report, a comparison of the dimensions for the July and September plans is shown. Pages 3 and 4 of the staff report are an attempt at illustrating changes made, and following are two sets of plans; one each of the old plan and one of the new plan.

At the request of Guy Atwood, staff, the project engineer and the project architect met with Mr. Atwood and Carol Gray, the uphill neighbor to the south. They addressed 26 questions. This afternoon, staff received a letter from Kathy Skovgard, on behalf of the residents of Lafayette Pointe and Randy Castro, President, Pleasant Hills and Valleys Association of Homeowners, dated September 19, 2008, which is before the Council. The letter identifies 9 requests. Staff is recommending the Council take testimony, consider the revised plans, introduce Ordinance 580, waive the first reading and continue the matter to the October 14, 2008 for second reading and adoption of the mitigated negative declaration and approval of the project.

Mr. Wolff reviewed the requests in the September 22, 2008 Skovgard letter as follows:

1. This item would add a condition of approval to allow the nearby residents immediately to the east, south and north to be included in any discussions and decisions regarding the landscaping as it impacts their properties.

Mr. Wolff said the landscape plan is part of the submitted drawings are under consideration by the Council and it has been for some time. Staff has not received any comments to date, but comments are welcomed. The project architect has previously stated as late as last week that they would be happy to continue to work with the neighbors, as well as having the project's landscape architect

meet with them on site to do final placement of the plants. If the Council approves the project, the landscape plan would be part of the approval and any significant deviation would have to return to the appropriate body for a revision.

2. This item requests inclusion in the process and ensuring that notice is given to the residents of Lafayette Pointe regarding the final placement and use of the pocket park at Mt. Diablo Boulevard and Mt. Diablo Court.

Mr. Wolff said the conditions of approval require review and approval of the design of the pocket park by the Design Review Commission, Parks, Trails and Recreation Commission, and others, and these would be public meetings with notification to neighbors.

3. This item requests inclusion in the process and ensuring that notice is given to the surrounding residents regarding any progress pertaining to the pathway from Mt. Diablo Court to Pleasant Hill Road.

Staff has followed up with Caltrans, which has asked for more information as to whether it would allow a pedestrian or multi-use path within its right-of-way. If and when the continuation of the pathway from the subject property to Pleasant Hill Road is at a design stage, the matter would come before the Circulation Commission and public notice would be provided at that time, and the public would have input into the design. Typical notification by the Circulation Commission is a notice of public hearing to surrounding property owners, homeowner associations and A-frame signs placed near the project.

4. This item requests requiring public review with the appropriate City agency of the new proposed signal light, its timing and crosswalk once the signal light is installed and operational at Mt. Diablo Boulevard and Mt. Diablo Court.

Mr. Wolff said the City Engineer and Circulation Commission can review the signal timing and operation of any signal in Lafayette at any time. Staff's opinion is that if the signal is appropriately designed and installed, no additional review is necessary. The intent is to have green lights for traffic east-bound and west-bound on Mt. Diablo Boulevard and only change the signal to red when a car is queued to turn into or out of Mt. Diablo Court.

5. This item requests providing for review by the property owners to the immediate west and south of the building of the proposed final roofing materials and colors.

Mr. Wolff said staff can include in the conditions of approval a stipulation that the color shall be neutral and non-reflective. It can be placed on a Design Review Commission consent calendar and provide for public notice.

6. This item asks to eliminate the outside patio on the southwest corner of the building.

Staff's opinion is that this is not necessary in order to approve the project, but has no objections if the applicant is willing to remove the patio and Council is supportive.

7. This item asks to add a condition of approval requiring a non-obtrusive security fence around the property to prevent trespassing to and from adjacent properties.

Mr. Wolff said staff believes this request stems from Ms. Gray uphill; the contours and grade at the property line will not change within 12-20 feet of the property. So the existing grade will be maintained. This project will not create any drop off or any dangers and any adjacent property

owner can currently fence their property to prevent trespassing. No perimeter fencing is proposed under the current project and staff does not see the nexus for requiring such.

8. This item asks for clarification of the fence along the eastern border – a fence that does not show on any of the plans – so as to provide possible mitigation of its impact on the adjacent property owners at 1059 Pleasant Hill Road.

It is staff's understanding that the applicant has offered to put up a 6 foot fence to increase the privacy and views of the project from neighbors to the east at 1059 Pleasant Hill Road. It is not shown on any of the plans so it is not currently part of the project, but if the applicant is willing to do it and neighbors are in agreement, staff would ask that it go to the Design Review Commission for review, considering the potential off site visibility, particularly from Pleasant Hill Road.

9. Finally and most importantly, this item asks to have the applicant reduce the height of the building by another two feet (see discussion below).

Mr. Wolff said the applicant has lowered the entirety of the project one foot from the last time the Council saw it, in addition to a reduction in height by removing three units close to the west property line. Staff does not believe that lowing the building an additional two feet is necessary to approve the project. If the neighbors would like this and the Council deems this necessary, staff would ask that the implications and ramifications be considered. Lowering the building would increase grading, off haul, duration of earthwork on the site, wall heights at the rear of the project and concerns have already been voiced about the stability of the slope.

Vice Mayor Tatzin said there was some discussion at prior meetings of eliminating the mansard roof on the south side of the building which would have an effective reduction in height, and he questioned if this was possible. Mr. Wolff said it is possible, but architecturally, staff would not support this, as the south side would faces the cut into the hillside below.

Councilmember Andersson referred to item 5 and questioned what a neutral color would be for a roof. Mr. Wolff said the question related to the material for the flat portion of the roof and not for the pitched portion. It would be neutral, beige/tan color and not a bright, white color. However, staff could take it to the Design Review Commission for approval.

Mayor Anderson opened the public hearing.

AL MOORE, Attorney for applicant, said they have made further changes to the project in direct response to the City Council's and neighbor's comments. He said Mike Hollman, project architect and Mike Milani, project civil engineer would discuss the changes, and he confirmed the developer is committed to the development agreement as set forth in the staff report in June of this year, and committed to the significant off-site improvements and community benefits outlined therein.

MIKE HOLLMAN, Hollman Bologna Architects, Walnut Creek, said he knows the project has been controversial, an arduous process for all involved, said they took into account all comments from meetings, met several times with neighbors and staff, and they realize the most important issues were the nearness of neighbors. They increased the setback of the building another 20 feet from the property line to the living units and garages, which means that they are up to 40 feet from property lines and approximately 61-62 feet between buildings. In addition, they had three units along the west building wall which concerned the neighbors to the west. They removed these three units from the plan, eliminating two from the project and relocating the third to the garage level at the southeast corner of the building. The unit at the corner 43 feet away from the property line is now oriented towards the rear. Because they lost a couple of units, it allowed them to pull the building back from the corner of unit 30. By removing those units, they add to the setback and it allows them to take a

corner out of the floor from the upper garage which allows the site line to change. Because they were able to move the foundation and wall line of the upper floor, they now have eliminated the retaining walls at the southwest corner, maintain the existing grading, the fire access walkway is now moved with the building itself, and so it maintains existing landscaping and grading contour.

Mr. Hollman said they discussed with neighbors landscape materials, trees, appropriateness of adding more and removing some, and they fully support being able to work with the neighbors on this. Regarding the comment about lowering the building, they had a long discussion with Mayor Anderson and Councilmember Tatzin about this and they lowered the building one foot. He said there were discussions about roof line, and architecturally it is more appropriate to keep the roof lines rather than remove the roof at one portion of the building. Because they pushed the building back and the garage with it, they now have 45 total cars serving 18 units where they previously they had 51 total cars serving 20 units, which comes out to the same ratio; 2.5/unit and they also did not remove any guest parking. He further discussed and presented graphic representations of setbacks from property lines, buildings, garages, views from Pleasant Hill Road and neighbor to the east, fencing and additional landscaping, cross sections and site lines.

Councilmember Andersson inquired about the fence on the eastern side which is not shown on the plan, and he questioned if it was the applicant's intention to install it. Mr. Moore said this was discussed with staff; initially the expectation was that there would be no fence, but they would be happy to install a fence if requested to do so by the Council.

Councilmember Anduri referred to the 9 points contained in the letter from Kathy Skivgard, and Mr. Hollman said they were in agreement with all except the last one, which is reducing the height of the building by another two feet.

Councilmember Anduri requested a discussion on the impacts of grading.

MIKE MILANI, Milani and Associates, Concord, said they met with Mr. Atwood and Ms. Gray. He said what was raised as the garage finish floor and this was done to eliminate the double parking. The lowering of the building two more feet essentially envelopes the entire footprint of the building. He said the site was just under an acre and the implications are that while they would get some modest accommodations along the front, it adds to the retaining wall costs. Regarding off-haul costs assuming $20/yard, this would be $80,000, and foundation costs are about the same. Therefore, this would cost another $160,000 to implement the lowering of the building. The contingency is that it is a significant visual impact from off site, and he fails to see this. There has been a lot of forensic work done along the west property line, they worked long and hard with the neighbors and he thinks they are there and does not see the merit in lowering the building two feet. It can be done, but the implications are significant project costs as well as duration of excavation and more off-haul.

Councilmember Anduri questioned if there were any safety implications, and Mr. Milani said he did not believe there were. From a geotechnical standpoint, it does increase the back wall another two feet, but he did not believe there was any impact from the design.

Councilmember Anduri questioned if Mr. Hollman was in agreement with item 7 in the letter for a perimeter fence. Mr. Hollman said on the west and south side, there is existing fencing and he was not sure they would be adding to the fence, removing them, supplementing, but currently, the property is secure relative to the two property lines. He believes the item referred to the eastern side and they would be open to having a fence or not. He said now that they have the grading pattern of the retaining wall on our side of the property, there was some discussion with the neighbor some time ago and they wanted the fence, but unfortunately they did not have it on the drawing, but has no problem with putting a fence in.

Public Comments:

CAROL GRAY said her main objection to the project is the multi-story buildings, they feel it is difficult to build it on the steep sight, feels the height remains very high in the front, they feel the development is out of proportion to the site. She also voiced concern with much more traffic generated with 18 units, asked the Council to look at the site now and how it would impact the entire parcel rather than looking at changes made over time. She said design review is based too much on subjective reasoning, there is not sufficient mitigation and she feels it still remains somewhat of a checklist and is vague. She said she was told Lafayette Pointe was supposed to not encouraged increased development and she questioned what would prevent another large condo project being built to the east or along Pleasant Hill Road. The neighbors on three sides of the development will be profoundly affected, losing natural hillside affects the entire community, and if approved, they request a security fence along the southern portion. She also requested planting be done early to encourage growth, and in summary she thanked all commissions and staff for taking into consideration her concerns.

Councilmember Federighi asked Ms. Gray to explain her request for a safety fence. Ms. Gray said it is not so much the stability of the hill or steep drop-off, but personal liability of people coming up and crossing over. She said they have a very good view of the entire south side of the development, but voiced concerns with people just simply coming into and over to the development. Mayor Anderson confirmed with Ms. Gray they live near the top of the hill, they have a fence only by her house, and she would like a security fence to fill in the missing pieces where fencing does not exist.

Councilmember Anduri clarified that Ms. Gray participated in meetings, Mr. Atwood put the letter together combining requests and questions from various people throughout the neighborhood, and she was directly responsible for some of the items.

RANDAL CASTRO said his main concern would be the inclusion of a fence along the eastern property line, given it is an entryway to Lafayette and they have not seen any pictures of the fence thus far. He suggested that, if a fence is necessary, it be a condition of approval for the developer to work with the neighbors on an aesthetically pleasing fence, as it will be on a hill will be very visible. He also referred to the elevations, said the building is 11 feet in height above the existing roadway. When coming into the Lafayette Pointe, one must drive up to get into the building. The reason they asked for the lowered height of the building was that people will already have to drive up and if it is taken down, the sloping becomes less. Lastly, he said on the east side of the building, the unit added a chimney to the east side, which changes the view from that side and he asked that this be mitigated.

Councilmember Anduri confirmed Mr. Castro was involved in the meetings that led to the letter of 9 requests, that if the 9 items were addressed, especially the lowering of the height by 2 feet, he would be supportive of the project.

DEBRA PAVERADA said she lives at Unit 31, said the most important issue at hand which has always been their concern is that while none of the residents are opposed to progress, but what they object to is that the progress infringes upon their quality of life and privacy. Given the current state of the economy, she questioned how wise was it to allow the project to move forward. She said she wants to be on the record opposing the project in its entirety even with the revised changes. After reviewing the changes and if the Council chooses to proceed with the development, she requested the following: 1) that the applicant eliminate the outside common back patio to the southwest which is directly across from her bedroom. The current amended plan now has 6 patios that average 300 square feet. This will produce a noise tunnel of 1800 square feet directly outside her living space. 2) that the applicant reduce the project in height by another 2 feet from the 1 foot on the current plan. The project has an elevation of approximately 11 feet from the street level to the base of the garage

which would provide adequate ability for this change. 3) that in the conditions of approval for landscaping that prior to final determination of the landscaping plan, the representatives from Lafayette Pointe and the Pleasant Hill Valley HOA be included in the determination process. She said during their meeting with the architect and civil engineer, they were agreeable to the elimination of the common gathering space as well as allowing them to have input on the landscape on the west side.

KATHY SKOVGARD said she lives at Unit 31, thanked staff and Councilmembers to take the time to visit their unit and ask the applicant to make the appropriate changes. The most significant thing they want considered is that they do not approve of the project. The 9 items in the letter did not mean to intend agreement for the project to be built, and she asked that the applicant be required to move the complex down an additional two feet.

GUY ATWOOD said the main point is that they feel a one foot reduction is not significant, he asked that the project be reduced another two feet which he feels is reasonable, as there is adequate room. He felt this would be good for the entire City of Lafayette. He also said the community is also very thankful for the work by the City Council, staff and applicant in making changes in the project.

Rebuttal – Applicant

AL MOORE said he appreciates the letter submitted by the neighbors, believed it was well-stated, sincere, and they can believe they can do 8 of the 9 items contained in the letter.

MIKE MILANI referred to the fence the east property line and said they would be happy to work with the neighbors on it, he felt a wire fence with landscaping would not be as noticeable, and he confirmed there were also no chimneys.

MIKE HOLLMAN referred to the fence along the east property line, said it is possible to have a 6 foot wood fence on the north side transitioning to an open wire fence in order to preserve the open feel between the neighbors to the east, and this can be worked out with the neighbors. Regarding to Mr. Atwood's comments regarding lowering height, with the work they have already done, lowering the building two feet does not have an appreciable impact on offsite views. He said it may have some modest forensic benefits to the immediate neighbors, but is questionable from a cost/benefit consideration. He felt that the one foot lowering and the combination of the roofline met the mark in meeting with the neighbors, said by every foot it is lowered it raises the project cost by $200,000 because of excavation and retaining wall cost, but if it must be done, technically it can be done.

The Mayor closed the public hearing.

Councilmember Anduri said his position stays the same, stating the density should not be changed.

Councilmember Andersson referred to the fence on the east, and asked if there was the potential for Commission or staff review. Mr. Wolff said staff would recommend it go back to the Design Review Commission because off-site visibility from the east and the hillside was a sensitive issue. Putting up a solid fence would have visual impacts. He noted the neighbors would also be noticed and involved in the process.

Councilmember Andersson referred to the height, said he agreed with the opinion that every foot is significant, he believes that all of the affected properties, with the exception of the corners to the east and 18-30 actually look over this building and he was not sure lowering it two feet would make an appreciable difference. Regardless of the cost of the project, 2,000 cubic yards of off-haul would be an inconvenience to the neighbors while that is being done, as well as another two feet of retaining

wall, and he supported the project's approval, with the changes made, and without additional lowering.

Councilmember Federighi agreed, said the main objection were impacts to Lafayette Pointe, particularly units 30 and 31. She thinks the applicant has gone a long way in addressing those concerns. She said the project has not only been moved over an additional 20 feet, the top floor eliminated, three units on the west side eliminated, and the applicant is willing to comply with additional requests of neighbors. She has felt all along that the density is not inappropriate for the site given all of the surrounding building. She thinks the applicant, the Mayor and Vice Mayor Tatzin spent time working with the neighbors to achieve changes presented today which makes the project better, and she supported its approval.

Vice Mayor Tatzin thanked the applicants for continuing to work on the project and the neighbors for continuing to meet with them. He recognized change is difficult, disagreed with fellow Councilmembers that in standing from the neighbor's windows, it struck him that the line of the roof is a foot lower, but the story poles are still within their primary line of sight. So, dropping it another foot or so would make a noticeable difference. However, before doing this, he would need to learn more about living conditions for those living along the back, and he would prefer a slightly lower project.

Mayor Anderson questioned if the project was lowered another foot, how many more trucks of off haul would it take to remove the dirt. Mr. Moore said for 2,000 cubic yards, at 10 yards a truck, it would be 200 truck trips for another week of haul.

Mayor Anderson said he appreciates everyone's work, acknowledged that change is difficult, he noted the Planning Commission approved the project, there have been significant changes made in the project, and he appreciates this. He said there are 8 agreed to items, he understands the interest in lowering it one to two more feet, was concerned about getting back to the impact of the project for hauling dirt, but he did not remember hearing this early on. He asked the applicant if they could lower the site another one foot.

Mr. Moore said they would need to accept this if the Council feels that this is necessary.

Vice Mayor Tatzin confirmed with staff that the recommended action was to introduce the Ordinance, waive the first reading, and staff can bring back revised conditions at the next meeting, which would not change the findings. The Council would act on the resolution at the next meeting. City Attorney Subramanian agreed, and said the ordinance references the rezoning and development agreement.

Councilmember Anduri noted he would be voting no on the project, said this area was zoned single-family residential for a maximum of 12 homes, given the constraints there could not have been 12 separate living units on this property, believes the area is a transitional area, and there was an understanding that development would not flow over to the Lafayette Pointe.

Councilmember Federighi said she believed that 12 separate homes on the site would have far greater impacts than what this project would. Councilmember Andersson agreed and supported the motion.

Councilmember Anduri congratulated the applicant and neighbors for their positive meetings.

ACTION: It was M/S/C (Tatzin/Federighi) to introduce Ordinance 580, waive first reading, and continue to October 14, 2008 with revised conditions to reflect agreement by the applicant to the 8 items stipulated in the letter and the additional one foot lowered elevation change. Vote: 4-1-0 (Ayes: Anderson, Tatzin, Andersson, Federighi; Noes: Anduri; Absent: None).

11. CONSENT CALENDAR

ACTION: It was M/S/C (Tatzin/Federighi) to approve the Consent Calendar Items A through H. Vote: 5-0-0 (Ayes: Anderson, Tatzin, Andersson, Anduri, Federighi; Noes: None; Absent: None).

A. **September 8, 2008 City Council Minutes**
Recommendation: Approve.

B. **Agreement for Installation and Maintenance of Existing and New Landscaping between John and Heather Winther and the City of Lafayette, located at 3830 Happy Valley Road, APN 246-090-012**
Recommendation: Accept agreement and authorize City Clerk to record.

C. **Request for Landscape Improvements Encroachment into the City's Right-of-way and Sidewalk Easement Dedication along Happy Valley Road at 3830, 3834, 3836 and 3840 Happy Valley Road, APN's 246-090-012, 246-100-005, 246-100-001, 246-100-003**
Recommendation: Approve encroachment into the City right-of-way along 3830, 3834, 3836 and 3840 Happy Valley Road and pathway easement dedications and authorize the Mayor to execute encroachment agreements, City Manager to execute the Certificates of Acceptance for easement dedications and the City Clerk to record.

D. **Contra Costa County Animal Services Department August Summary of Animal Activities and Actions in Lafayette**
Recommendation: Receive and file.

E. **Supplemental Law Enforcement Funding**
Recommendation: Approve appropriation of COPS Funding.

F. **Comment Letter on the June 21, 2008 Circulation Draft of the Lamorinda Action Plan**
Recommendation: Authorize staff to forward comment letter to the Contra Costa Transportation Authority withholding final comments and support of the Lamorinda Action Plan.

G. **Comment Letter on the Proposal for Adoption of the Contra Costa Transportation Authority's Growth Management Program Implementation Guide for Measure J**
Recommendation: Authorize staff to forward comment letter to the Contra Costa Transportation Authority.

H. **Sight Distance Options at Moraga Road and Wilkinson Lane**
Recommendation: Direct the Police Chief to designate the No Parking Anytime Zone on Moraga Road, immediately north of Wilkinson Lane as a zero-tolerance, enforcement priority zone.

12. COUNCIL/COMMISSION REPORTS

A. Councilmember report on activities and consideration of matters a councilmember wishes to initiate for placement on a future agenda.

Councilmember Federighi said she staffed a Council booth on Saturday at the Arts and Wine Festival, said the attendance was great, the City celebrated its 40th birthday, and comments almost uniformly were positive about the City, and fellow Councilmembers agreed.

B. Vice Mayor Don Tatzin

1. **Appointment to the Citizens Advisory Committee to the Contra Costa Transportation Authority.**
   Recommendation: Appoint Lafayette's representation to the Citizens Advisory Committee to the Contra Costa Transportation Authority.

ACTION: It was M/S/C (Tatzin/Andersson) to appoint Yolanda Vega as Lafayette's representation to the Citizens Advisory Committee to the Contra Costa Transportation Authority. Vote: 5-0-0 (Ayes: Anderson, Tatzin, Andersson, Anduri, Federighi; Noes: None; Absent: None).

2. **Co-sponsor an event on February 5, 2009 with the Lafayette Library & Learning Center Foundation at the Veterans Memorial Building**
   Recommendation: Discuss and direct staff.

Vice Mayor Tatzin said they have an agreement with the Veterans organization to control the Veterans building whereby the City is provided 4 free 8-hour uses of the building per year until 2010. Second, the City signed partnership agreements with the Lafayette Library and Learning Center under which they will provide funding for the library, programs, and work to run the programs. As part of their funding, they would like to host an event at the Veterans Memorial Building on February 5, 2009 and is asking to use one of our 4 free dates in 2009.

Councilmember Federighi confirmed with Kathy Merchant that the date was firm, as Chinese New Year's in San Francisco is February 7th.

MS. MERCHANT discussed the event, stating they were approached by the Chinese community in Lafayette to participate in a fashion show fundraiser for the Library and as this idea has evolved, they have expanded it to doing a two-week cultural program culminating with the fashion show and culture session at the Library. They thought it was consistent with their mission and we see this as a test of a model for other cultural events. This particular event they see as a fundraiser because they are in the middle of a $4 million campaign. She said they raised over $1.7 million to date, and they feel this is educational as well as a fundraising opportunity and asked for the Council's approval.

Councilmember Andersson questioned if a resolution was needed for co-sponsorship, and Ms. Merchant said they are simply looking for approval of the event. She said what is also exciting is that it is a collaboration of multiple entities.

ACTION: It was M/S/C (Tatzin/Andersson) to co-sponsor an event on February 5, 2009 with the Lafayette Library and Learning Center foundation at the Veterans Memorial Building. Vote: 5-0-0 (Ayes: Anderson, Tatzin, Andersson, Anduri, Federighi; Noes: None; Absent: None).

C. **Councilmember Carol Federighi**

1. **League of California Cities 2008 Annual Conference Resolutions**
   Recommendation: Provide comments on the resolutions for Lafayette's voting delegate to the 2008 Annual Conference of the League of California Cities.

Councilmember Federighi reported she would be representing the City this week at the League's conference, noted four resolutions are being proposed for consideration, they may be revised or amended, and she asked for direction from Councilmembers. Resolution 4 regarding a comprehensive statewide water infrastructure plan and the Executive Officer of the Contra Costa Water Agency has additional remarks and he wants the resolution to address the entire package of reform versus the more narrow reform proposed. She said the Mayors Conference this week may also have a resolution that incorporates these comments, but she would meet on Thursday morning at the Mayors Conference. Mayor Anderson said last year's conference, there was a resolution

passed that was in line with the County's recommendation and Don Blubaugh should be able to provide the resolution. He believed the resolution captured the issue.

Public Comments:

GABRIEL FROYMOVICH questioned what the total cost of the conference is for the League of California Cities, what resolutions would be voted on, will the resolutions be publicized in any way, and lastly, were any of the resolutions binding. Councilmembers addressed questions they could address for Mr. Froymovich.

ACTION: There was Council consensus to provide comments on the League resolutions to Councilmember Federighi, Lafayette's voting delegate to the 2008 Annual Conference of the League of California Cities.

13. WRITTEN COMMUNICATIONS - None

14. ADJOURNMENT

The Council adjourned at 8:40 p.m. to the next regularly scheduled meeting on Monday, October 14, 2008.

APPROVED:

_____
Mike Anderson, Mayor

ATTEST:

_____
Joanne Robbins, City Clerk